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Application No. 10/654,943
Response to Notice to File Missing Parts
Dated: 11/25/03

DOCKET NO: 242501US2

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF

CHRISTOPHER DEAN, ET AL.

SERIAL NO: 10/654,943

FILED: SEPTEMBER 5, 2003

FOR: ADAPTABLE RESOURCE MODEL

:

: EXAMINER: UNASSIGNED

:

: GROUP ART UNIT: 2123

02/02/2004 EFLORES 00000048 10654943

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130.00 OP

PETITION UNDER 37 C.F.R. § 1.47(a)

Applicants hereby petition the United States Patent and Trademark Office (hereinafter "USPTO") under 37 CFR §1.47(a) to accept the Declaration and Power of Attorney for Patent Application 10/654,943 and consider the new application filed by the signing inventors (i.e., Mr. Christopher Dean, Mr. Stephen Mason, Mr. Cyril Soga, Mr. Julien Brainerd, Mr. Alain Lemoine, Mr. Ed Maciver and Mr. Dmytro Topygin) as having been filed on behalf of themselves and their joint inventor (i.e., Mr. David Cuillerier) who "cannot be found or reached after diligent effort" to preserve the rights of the Assignee, EFTIA OSS Solutions, Inc.

As set forth in Exhibits A, B, C, and D attached hereto, significant efforts were made to contact Mr. Cuillerier. Exhibit A, signed by Linda Gorman, an EFTIA employee, includes Mr. Cuillerier's last known address and phone number and a list of steps taken to reach Mr. Cuillerier. Ms. Gorman indicates that Mr. Cuillerier's last known phone number is no longer in service. Further, Ms. Gorman indicates that a courier, UPS, was unable to deliver a package addressed to Mr. Cuillerier at his last known address, because he had moved. Exhibit B includes an internet tracking report for this package, and Exhibit C includes a photocopy of the shipping label that indicates the package was returned to shipper, stating as the reason, "Receiver Moved." In addition, Ms. Gorman indicates that she attempted to

contact Mr. Cuillerier using email, but received no response. In addition, Ms. Gorman

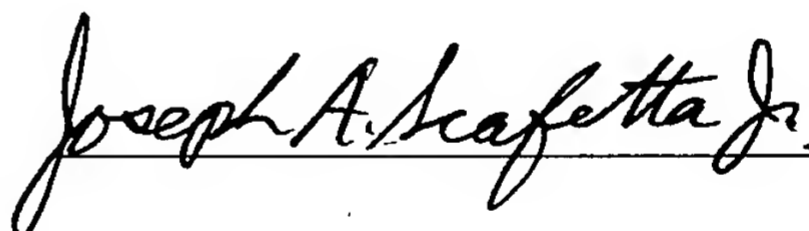
indicates that she spoke with the father of Mr. Cuillerier, "who was going to give David the message to contact Eftia," but she did not receive a call. Ms. Gorman also indicates that she called Mr. Cuillerier's father again, but he did not answer and she left a voice message.

Finally, Ms. Gorman indicates that she searched for Mr. Cuillerier using Canada411.com, an internet search and phone directory service, but after making several calls to those listed as "D. Cuillerier," was unable to find Mr. David Cuillerier. Exhibit D includes a printout of a Canada411.com display with a listing of phone numbers for "D Cuillerier."

Accordingly, Applicants request that the already filed Declaration and Power of Attorney signed by Mr. Christopher Dean, Mr. Stephen Mason, Mr. Cyril Soga, Mr. Julien Brainerd, Mr. Alain Lemoine, Mr. Ed Maciver and Mr. Dmytro Toptygin be accepted on behalf of themselves and the unavailable inventor Mr. David Cuillerier, who cannot be found after diligent effort by the Assignee as outlined above and noted in the attached exhibits.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.



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22853

Tel No. (703) 413-3000

Fax No. (703) 413-2220



150 Isabella Street
Suite 900
Ottawa, Ontario
K1S 1V7

January 13, 2004

Search for David Cuillerier

Last known address: 171 Lees Avenue, Apt 1611
Ottawa, ON K1S 5P3

Last known phone number: 613-234-3227

-phone number no longer in service

-courier unable to deliver, moved

-provided email addresses from colleagues, received no response

-spoke with father, who was going to give David the message to contact Eftia, never received a call back. Called father again no answer and left a voice message

-searched Canada411, made several calls to D Cuillerier, no David

Still continuing the search for David Cuillerier

Sincerely,

Linda Gorman
Tel: 613-564-4407 x2579
Fax: 613-368-3872

[Home](#) | [About UPS](#) | [Contact UPS](#)**Tracking**

- **Track by Tracking Number**
- Track by Reference Number
- Import Tracking Numbers
- Track by E-mail
- Get Quantum View Files
- Void a Shipment
- Help

**UPS Signature Tracking**Log-In User ID: Password: | [Forgot Password](#)

Rm

**Track by Tracking Number****View Details**

Status: Exception
Shipped to: OTTAWA, ON, CA
Shipped or Billed on: 27 Oct 2003

Tracking Number: 1Z 05X 19X DA 7431 844 5
Service Type: EXPRESS SAVER

Package Progress:

28 Oct 2003	11:33	OTTAWA, ON, CA	RECEIVER MOVED, NOT DELIV
	3:00	OTTAWA, ON, CA	OUT FOR DELIVERY
	2:00	OTTAWA, ON, CA	ARRIVAL SCAN

Tracking results provided by UPS: 28 Oct 2003 15:29 Eastern Time

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[← Back to Tracking Summary](#)[↑ Back to Top](#)

United Parcel Service
Daily Manifest Customer Copy

Page : 1

EFTIA OSS SOLUTIONS
150 ISABELLA ST
FLOOR: 9TH
OTTAWA, ON, K1S1V7
Domestic Shipments

UPS SHIPPER NUMBER:
PICK UP RECORD #:
DATE SHIPPED:

05X19X
4461089010
27/OCT/2003

EDI

Reference	Consignee Information	Service	Postal Code	Zone	Weight	Published Charge	Incentive Credit	Billed Charge
LINDA	DAVID CUILLERIER 171 LEES AVE, APT 1811 OTTAWA, ON, K1S 5P3 CA	Express Saver Delivery Confirmation Total:	K1S 5P3	500	0	8.60 2.75 11.35		8.60 2.75 11.35
Payment Type Bill to Account Bill to Company	P/P							
PACKAGES	Tracking Number 1Z05X19XDA74318445	Delivery Confirmation Adult Signature Required			Weight 0	COD Amount		Declared Value
		Total:	1 Package(s)			11.35		11.35

CONTROL NUMBER

4089-P028-0008

CUILLERIER D

Call 1-800-PICK-UPS (1-800-742-5877) r visi
Appelez le 1-800-742-5877 ou naviguez sur notre site

Apposez les étiquettes dans cet espace

Options : ☒ Étiquette de suivi UPS et étiquette d'adresse

Apposez l'étiquette de suivi à la gauche de l'étiquette d'adresse.

Inscrivez votre numéro de compte UPS à l'aide d'un tampon-encreur
au-dessus de l'étiquette d'adresse.

☒ Formulaire d'expédition pour le service UPS Express

☒ Connaissance UPS

ir address lab l
t of r below the address label.
ar above the address label.

um nt

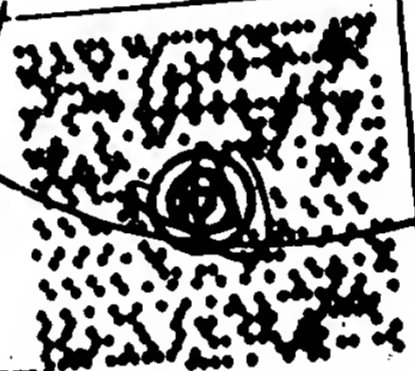
LINDA GORMAN
EFTIA OSS SOLUTIONS
PHONE: 613-564-4407
150 ISABELLA ST
FLOOR: 9TH
OTTAWA ON K1S1V7

LTR 1 OF 1

UP
11/25/2003 11:12 4089-P028-0008

RETURN TO SHIPPER
RETURN TO SHIPPER

REASON FOR RETURN:
RECEIVER MOVED, NOT DELIVERED
ORIGINAL RECEIVER:
CUILLERIER, D



(420) SHIP TO POSTAL CODE
(420) K1S-1V7

TRACKING #: 1Z 05X 19X DA 7431 8445



BILLING: P/P
ADULT SIGNATURE REQUIRED - MIN 19



SIGNATURE D'UN ADULTE REQUISE
ADULT SIGNATURE REQUIRED

.ca

Search My Sympatico.ca Home

[Home Page](#) > [Canada411](#) > [Find a Person](#) > Results

Canada 411™

The Phone Directory for Everyone

Find a person

Total Found: 11

[Refine Search](#) [Start Over](#) [FAQs](#) [Search Tips](#)

Name (click for details)	Address	City	Prov.	Phone
Cuillerier, Denis	249 rue Shamrock	Pincourt	QC	(514) 453-1275
Cuillerier, D	83 Ch Napoleon	Val-des-Monts	QC	(819) 457-4289
Cuillerier, D	2760 Lonsdale Ave	North Vancouver	BC	(604) 988-0335
Cuillerier, D	8669 rue Rejane	Lasalle	QC	(514) 363-0066
Cuillerier, D		Brooks	AB	(403) 501-0031
Cuillerier, D	6585 32Av	Rsmt	QC	(514) 376-9037
Cuillerier, D	195 av 43E RR 1	Sainte-Barbe	QC	(450) 371-5098
Cuillerier, Dan	4986 Portage Rd	Niagara Falls	ON	(905) 357-6480
Cuillerier, Daniel	38 Muskoka Crt	London	ON	(519) 858-2242
Cuillerier, Daniel	8901 rue Marcel-Cadieux	Montreal	QC	(514) 384-0866
Cuillerier, Donald	RR 5	Lucknow	ON	(519) 395-2294

How
you
a trip
with**Step 1: Enter person's name**

Hint: Use full or partial name. First name optional.

LAST: FIRST: **Step 2: Enter person's location**

Hint: Adding location will improve your search results

CITY/TOWN:
(optional) PROVINCE: **Step 3:**[FAQs](#) [Search Tips](#)Use of the information in Canada411 for commercial or illegal purposes is strictly prohibited.
See terms of use.

Expedite